



620 Eighth Avenue

New York, New York 10018

(212) 218-5500

fax (212) 218-5526

www.seyfarth.com

Writer's direct phone
(212) 218-3321

Writer's e-mail
cdelreycone@seyfarth.com

July 19, 2010

VIA ECF

The Honorable Joanna Seybert
United States District Judge
United States District Court for the Eastern District of New York
100 Federal Plaza
P.O. Box 9014
Central Islip, New York 11722

Re: Hooda v. Brookhaven Science Associates, et al.
U.S.D.C., E.D.N.Y., 08-CV-3403 (JS-WDW)

Dear Judge Seybert:

We represent defendants Brookhaven Science Associates, Michael Bebon, William Hempfling, George Goode and William Robert Casey (collectively, the “Brookhaven Defendants”) in the above-referenced case. We write to briefly respond to Plaintiff’s Notice of Motion for Clarification and Extension of Time, dated July 9, 2010 (“July 9 Motion”).

While we do not oppose Plaintiff’s request for an extension of time to file his Consolidated Amended Complaint, we write to highlight that it is inappropriate for Plaintiff’s to make legal arguments regarding validity of his claims at this time. Plaintiff has gone beyond seeking mere “clarification” with respect to Your Honor’s June 21, 2010 Memorandum and Decision. Rather, Plaintiff presents arguments regarding the legality of certain claims that he anticipates pleading in the Consolidated Amended Complaint. We respectfully submit that the Court should disregard any such arguments unless and until they are presented in conjunction with any motion practice following the filing of Plaintiff’s Consolidated Amended Complaint.



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Please feel free to contact me if Your Honor requires any additional information.

Respectfully submitted,

SEYFARTH SHAW LLP

s/ Christie Del Rey-Cone

Christie Del Rey-Cone

cc: Balwan Hooda (*pro se* plaintiff) (via email PDF and Federal Express)